

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA, : Case No. 3:16-mj-230
: Plaintiff, : Magistrate Judge Michael J. Newman
vs. :
: YUSIRU CABRERA-BLAS, :
: Defendant. :

**ORDER AND ENTRY GRANTING THE JOINT MOTION TO DETERMINE
COMPETENCY (DOC. 13) AND ORDERING COMPETENCY EVALUATION**

This criminal case is before the Court for consideration of defense counsel's motion to determine the Defendant's competency to stand trial and make medical decisions. Based upon representations of counsel for Defendant, the Court finds reasonable cause to believe that Defendant may be suffering from a mental disease or defect rendering him mentally incompetent to stand trial and/or make medical decisions.

Accordingly, the court **GRANTS** defense counsel's motion and **ORDERS**, pursuant to 18 U.S.C. §§ 4241(b) and 4247(b), that Defendant be evaluated by Dr. Massimo DeMarchis, Psy.D., to determine Defendant's mental competency to stand trial and make medical decisions. This examination shall take place at the Ohio State University Hospital where Defendant is currently being treated. The Court **ORDERS** the Clerk of Courts to promptly transmit to Dr. DeMarchis all bond reports, if any, all subsequent memoranda furnished to the Court and a complete copy of the pleadings in this case not filed under seal. The Court further **ORDERS** that defense counsel shall make arrangements directly with Dr. DeMarchis to evaluate the

Defendant and to assist in assuring Defendant's cooperation with the examination. The report of the examination shall promptly be submitted to the Court.

The Clerk shall promptly furnish a copy of this Order to Dr. DeMarchis with instructions that Defendant's evaluation shall occur as promptly as possible.

IT IS SO ORDERED.

Date: 9/9/2016

s/Michael J. Newman

Michael J. Newman

United States Magistrate Judge

